PATENT CLAIM TERMS FOR CONSTRUCTION – '044 & '866 Patents

Claim Language	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
U.S. Patent 9,241,044 Claims			
81. A method for fetching over the Internet a first content, identified by a **first content identifier**, by a **first device**, **identified in the Internet by a first identifier**, from a **second server identified in the Internet by a third identifier** via a **second device** identified in the Internet by a second identifier, using a **first server,** the method comprising the steps of: (a) sending the **first identifier** to the **first server**; (b) sending a **first request** to the **first server**; (c) **receiving the second identifier from the first server**; (d) **sending a second request to the second device using the second identifier, the second request includes the first content identifier and the third identifier**; and	Preamble – Cl. 81 ['044] Proposed Construction: The preamble is limiting to the extent the terms set out network structure used by the claimed methods. Intrinsic Evidence: 51:19-56:29; 173:19-31 of the '044 Patent; see intrinsic support for each disputed term in the preamble including "first device," "second device," "first server," "second server," and "first content identifier."	Preamble Proposed Construction: The preamble is limiting	
	Preamble – Cl. 108 ['044] Proposed Construction: The preamble is limiting to the extent the terms set out network structure used by the claimed methods. Intrinsic Evidence: 51:19-56:29; 173:19-31 of the '044 Patent; see intrinsic support	Preamble Proposed Construction: The preamble is limiting	

(e) receiving the first content from the **second device**. 108. A method for fetching over the Internet a first content, identified by a **first content identifier**, by a **first device**, **identified in the Internet by a first identifier**, from a **second server identified in the Internet by a third identifier** via a **second device identified in the Internet by a second identifier**, using a **first server**, the method comprising the steps of: (a) **sending the second identifier to the first server**; (b) **receiving a second request from the first device, the second request includes the first content identifier and the third identifier**; (c) in response to receiving the second request, sending the **first content identifier** to the second server using the **third identifier**;	for each disputed term in the preamble including "first device," "second device," "first server," "second server," and "first content identifier."		
	"first device" Claim 81, 108 ['044] Not Indefinite/Preamble not limiting/plain and ordinary meaning Intrinsic Support: Fig. 5B; 49a; 4:33-54; 6:18-8:46; 42:25-58; 43:22-49; 51:19-56:29; 65:31-58; 70:43-71:20; 71:28-72:38; 81:21-85:34; 90:43-91:15; 93:34-94:6; 95:17-36; 101:3-21; 104:22-106:6; 112:7-25; 119:34-65; 125:33-46; 142:12-32 166:36-167:6 of the '044 Patent; Extrinsic Support: PC Mag Encyclopedia definition for computing device: "Any electronic equipment controlled by a CPU, including desktop and laptop computers,	"first device" Claim 81, 108 ['044] Indefinite under 35 USC 112 Alternatively: A device, separate from the second device, the first server, and the second server, that receives the internet content from the second device. Intrinsic Support: Fig. 5; Fig. 5B; 81:32-41-	

(d) receiving the first content from the **second server**; and (e) **in response to receiving the first content, sending the first content to the first device using the first identifier**.	smartphones and tablets. It usually refers to a general-purpose device that can accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router." https://www.pcmag.com/encyclopedia/term/66551/computing-device IEV ref 732-01-12 definition of server: "functional unit that provides services to workstations, to personal computers or to other functional units in a computer network" http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12 Websters Dictionary definition of server: "a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network."		

	https://www.merriam-webster.com/dictionary/server		
	"second device" Claim 81, 108 ['044] Not Indefinite Proposed Construction: Not indefinite / Preamble not limiting / plain and ordinary meaning Intrinsic Support: Abstract; Fig. 5B; 49a; 4:33-54; 6:18-8:46; 42:25-58; 43:22-49; 51:19-56:29; 65:31-58; 70:43-71:20; 71:28-72:38; 81:21-85:34; 90:43-91:15; 93:34-94:6; 95:17-36; 101:3-21; 104:22-106:6; 112:7-25; 119:34-65; 125:33-46; 142:12-32 166:36-167:6 of the '044 Patent; Extrinsic Support: PC Mag Encyclopedia definition for computing device: "Any electronic equipment controlled by a CPU, including desktop and	"second device" Claim 81, 108 ['044] Indefinite Indefinite under 35 U.S.C. §112 Alternatively: A device, separate from the first device, the first server, and the second server, that is communicatively positioned between the first device and the second server. Intrinsic Support: Fig. 5; Fig. 5B; 81:32-41-	

	laptop computers, smartphones and tablets. It usually refers to a general-purpose device that can accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router." https://www.pcmag.com/encyclopedia/term/66551/computing-device IEV ref 732-01-12 definition of server: "functional unit that provides services to workstations, to personal computers or to other functional units in a computer network" http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12 Websters Dictionary definition of server: "a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network."		

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	"first server" Claim 81, 108 ['044] Not Indefinite Proposed Construction: Not indefinite / Preamble not limiting / plain and ordinary meaning Intrinsic Support: Figs. 2, 5b, 7, 11, 11a-c, 12, 12a, 13, 20, 26a-d, 34, 49; 2:34-35; 4:33-54; 6:18-8:46; 51:19-56:29; 61:65-62:63; 63:14-27; 65:31-58; 66:8-17;73:63-74:19; 81:21-85:34; 86:15-41; 93:34-94:6; 96:32-62 of the '044 Patent Extrinsic Support: PC Mag Encyclopedia definition for computing device: "Any electronic equipment controlled by a CPU, including desktop and laptop computers,	"first server" Claim 81, 108 ['044] Indefinite Indefinite under 35 U.S.C. §112 Alternatively: A server, separate from the second device, the first device, and the second server, that receives the internet content from the second device. Intrinsic Support: Fig. 5; Fig. 5B; 81:32-41-	

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	"second server" Claim 81, 108 ['044] Proposed Construction: Not indefinite / Preamble not limiting / plain and ordinary meaning Intrinsic Support: Figs. 2, 5b, 7, 11, 11a-c, 12, 12a, 13, 20, 26a-d, 34, 49; 2:34-35; 4:33-54; 6:18-8:46; 51:19-56:29; 61:65-62:63; 63:14-27; 65:31-58; 66:8-17;73:63-74:19; 81:21-85:34; 86:15-41; 93:34-94:6; 96:32-62 of the '044 Patent Extrinsic Support: PC Mag Encyclopedia definition for computing device: "Any electronic equipment controlled by a CPU, including desktop and laptop computers, smartphones and tablets. It usually refers to a general-purpose device that can accept software for many purposes in	"second server" Claim 81, 108 ['044] Proposed Construction: Indefinite under 35 U.S.C. §112 Alternatively: A server, separate from the first device, the second device, and the first server, from which the internet content is fetched. Intrinsic Support: Fig. 5; Fig. 5B; 81:32-41-	

	contrast with a dedicated unit of equipment such as a network switch or router." https://www.pcmag.com/encyclopedia/term/66551/computing-device IEV ref 732-01-12 definition of server: "functional unit that provides services to workstations, to personal computers or to other functional units in a computer network" http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12 Websters Dictionary definition of server: "a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network." https://www.merriam-webster.com/dictionary/server		
	"First Content Identifier"	"First Content Identifier"	

	Cl. 81, 82, 87, 89, 101, 108 [‘044] Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12 of the ’044 Patent; Extrinsic Support: ITU-T J.780 (06/2012) definition of content: “A combination of audio, still image, graphic, video, or data. NOTE – A variety of formats is classified as the "data" (e.g., text, encoded values, multimedia description language introduced by ITU-T H.760).” https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink=	Cl. 81, 82, 87, 89, 101, 108 [‘044] Proposed Construction: Identification of the internet content that is to be fetched. Intrinsic Support: Fig. 5b; Fig. 11; 5B; 81:32-41; 86: 61-87:30-	

	{46309866-F797-45BC-81E9-2B6B2DAC1F32} ITU-T T.411 (93), 3.39 definition of content: The information conveyed by the document, other than the structural information, and that is intended for human perception. https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={0A3C5266-56D4-4ED8-9076-A4345192D7EB} ITU-T X.902 (95), 12.2; X.910 (98), 6.2 definition for identifier: "An unambiguous name, in a given naming context" https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2).		

	ITU-T Definition – Identifier: A character, or group of characters, used to identify or name an item of data and possibly to indicate certain properties of that data. Ref.: ITU-T, Q.9 (88), 6108; Glos. VI.7, VI.8, VI.9 (88) https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={A842D85F-D255-4218-98D1-D8AD272C9067}		
	"identified in the Internet by a first identifier" Cl. 81, 108 ['044] Proposed Construction: Preamble not limiting / plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044	"identified in the Internet by a first identifier" Cl. 81, 108 ['044] Proposed Construction: Identified by a first identifier that is different than the third identifier, although there may be some overlap. Intrinsic Support: Fig. 15; 95:47-96:3-	

	Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server." Extrinsic Support: ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous name, in a given naming context" https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: "character or string of characters, used to identify or name a data item." http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35		

	"identified in the Internet by a second identifier" Cl. 81, 108 ['044] Proposed Construction: Preamble not limiting / plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server." Extrinsic Support: ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous name, in a given naming context"	"identified in the Internet by a second identifier" Cl. 81, 108 ['044] Proposed Construction: Identified by information that includes an address of the second device. Intrinsic Support: Fig. 15; 95:47-96:3-	

	https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: "character or string of characters, used to identify or name a data item." http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35		
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	31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server." Extrinsic Support: ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous name, in a given naming context" https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: "character or string of characters, used to identify or name a data item." http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35		

	"receiving the second identifier from the first server" Cl. 81 ['044] Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server." Extrinsic Support: See above for "first server." ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous	"receiving the second identifier from the first server" Cl. 81 ['044] Proposed Construction: Receiving, by the first device from the first server, identification of the second device that includes an address of the second device.	

	name, in a given naming context" https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: "character or string of characters, used to identify or name a data item." http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35		
	"sending a second request to the second device using the second identifier, the second request includes the first content identifier and the third identifier" Cl. 81 ['044]	"sending a second request to the second device using the second identifier, the second request includes the first content identifier and the third identifier" Cl. 81 ['044]	

	Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server." Extrinsic Support: See above for "second device" and "content identifier." ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous name, in a given naming context"	Proposed Construction: Sending, by the first device to the second device, using the address of the second device that was received from the first server, a request for the internet content which is to be fetched that includes both (1) identification of the internet content that is to be fetched and also (2) the address of the second server.	

	https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: "character or string of characters, used to identify or name a data item." http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35		
82. The method according to claim 81 further comprising the step of: (f) sending the **first content identifier** to the second server using the third identifier.	"First Content Identifier" See above	"First Content Identifier" See above	
83. The method according to claim 82 wherein step (f) is preceding step (d).	N/A	N/A	
84. The method according to claim 82 wherein step (f) is following step (e).	N/A	N/A	

85. The method according to claim 82 wherein step (f) is 40 simultaneous with steps (d)-(e).	N/A	N/A	
86. The method according to claim 85 wherein step (f) is simultaneous with steps (d)-(e) **using multitasking or multiprocessing**.	"multitasking or multiprocessing" Cl. 86, 88, 91, 107 ['044] Proposed Construction: "multiple tasks being performed in overlapping time periods using common processing resources" Intrinsic Support: 24:60-25:4 Extrinsic Support: International Electrotechnical Commission IEV 171-05-69 definition of multitasking: "concurrent or interleaved execution of two or more tasks on a single computer" http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-05-69 Websters Dictionary definition of multitasking: "the concurrent performance of several jobs by a computer."	"multitasking or multiprocessing" Cl. 86, 88, 91, 107 ['044] BI Science does not challenge Luminati's proposed construction.	

	https://www.merriam-webster.com/dictionary/multitasking		
87. The method according to claim 81 for use with a third device identified in the Internet by a fourth identifier, further comprising the steps of: (f) receiving the fourth identifier from the first server; (g) sending a third request to the third device using the fourth identifier, the third request includes the **first content identifier** and the third identifier; and (h) receiving the first content from the third device.	"First Content Identifier" See above	"First Content Identifier" See above	
88. The method according to claim 87 wherein steps (f) to (h) are executed concurrently with steps (d)-(e) **using multitasking or multiprocessing**.	"Using multitasking or multiprocessing" See above	"Using multitasking or multiprocessing" See above	
89. The method according to claim 81 for use with a group consisting of a plurality of devices, each device in the group is associated with a respective identifier for being identified in the internet,	"First Content Identifier" See above	"First Content Identifier" See above	

further comprising the steps of: (f) receiving the identifiers of the group devices from the first server; (g) sending a third request to the group device using their associated identifiers, the third request includes the **first content identifier** and the third identifier; and (h) receiving the first content from the group devices.			
90. The method according to claim 89 wherein steps (f) to (h) are executed concurrently with steps (d)-(e).	N/A	N/A	
91. The method according to claim 89 wherein steps (f) to (h) are executed concurrently with steps (d)-(e) **using multitasking or multiprocessing**.	"Using multitasking or multiprocessing" See above	"Using multitasking or multiprocessing" See above	
92. The method according to claim 89 wherein the second device is included in the group, the method further comprising the step of selecting the second device out of the devices in the group.	N/A	N/A	

93. The method according to claim 89 further comprising the step of selecting one or more devices, distinct from the second device, out of the devices in the group.	N/A	N/A	
94. The method according to claim 89 wherein the second device is randomly selected out of the devices in the group.	N/A	N/A	
95. The method according to claim 89 wherein the second device is selected based on attributes or characteristics of the device.	N/A	N/A	
96. The method according to claim 89 wherein the second device is selected based on the physical geographical location.	N/A	N/A	
97. The method according to claim 89 wherein the second device is selected based on the physical geographical proximity to the second server.	"proximity to the second server" Cl. 97 ['044] Proposed Construction: "distance from second server"	"proximity to the second server" Cl. 97 ['044]	

	Intrinsic Support: 53:55-59; 90:43-91:15 Extrinsic Support: Dictionary.com definition of proximity: "nearness in place, time, order, occurrence, or relation." https://www.dictionary.com/browse/proximity?s=t		
98. The method according to claim 89 wherein the second device is selected based on the second identifier.	N/A	N/A	
99. The method according to claim 89 wherein the **second device** is selected based on **past activities**.	"past activities" Proposed Construction: past actions or performance Not Indefinite	"past activities" Proposed Construction: Indefinite. Alternatively: plain and ordinary meaning	
100. The method according to claim 89 wherein the second device is selected based on the timing of an event.	N/A	N/A	
101. The method according to claim 81 for fetching over the Internet a second content, identified by a second content	N/A	N/A	

identifier, by a third device, identified in the Internet by a fourth identifier, from a third server identified in the Internet by a fifth identifier, via the first device, the method further comprising the steps of: (f) receiving a third request from the third device, the third request includes the second content identifier and the fifth identifier; (g) in response to receiving the third request, sending the second content identifier to the third server using the fifth identifier; (h) receiving the second content from the third server; and (i) in response to receiving the second content, sending the second content to the third device using the fourth identifier.			
102. The method according to claim 101 wherein the third server is distinct from the second server.	N/A	N/A	

103. The method according to claim 101 wherein the third server and the second server are the same server.	N/A	N/A	
104. The method according to claim 101 wherein the second content is distinct from the first content.	N/A	N/A	
105. The method according to claim 101 wherein the second content and the first content are the same content.	N/A	N/A	
106. The method according to claim 101 wherein the steps (f)-(i) are executed after steps (a)-(e).	N/A	N/A	
107. The method according to claim 101 wherein the steps (f)-(i) are executed concurrently with steps (a)-(e) **using multitasking or multiprocessing**.	"Using multitasking or multiprocessing" See above	"Using multitasking or multiprocessing" See above	
108. A method for fetching over the Internet a first content, identified by a **first content identifier**, by a **first device**, **identified in the Internet by a first identifier**, from a **second server**	Preamble Proposed Construction: not limiting	Preamble Proposed Construction: limiting	
	"first device" See above	"first device" See above	

identified in the Internet by a third identifier via a **second device identified in the Internet by a second identifier**, using a **first server**, the method comprising the steps of: (a) **sending the second identifier to the first server**; (b) **receiving a second request from the first device, the second request includes the first content identifier and the third identifier**; (c) in response to receiving the second request, sending the **first content identifier** to the second server using the **third identifier**; (d) receiving the first content from the **second server**; and (e) **in response to receiving the first content, sending the first content to the first device using the first identifier**.			
	"second device" See above	"second device" See above	
	"first server" See above	"first server" See above	
	"second server" See above	"second server" See above	
	"first identifier" See above	"first identifier" See above	
	"first content identifier" See above	"first content identifier" See above	
	"second identifier" See above	"second identifier" See above	
	"third identifier" See above	"third identifier" See above	
	"sending the second identifier to the first server" Cl. 108 ['044]	"sending the second identifier to the first server" Cl. 108 ['044]	

	Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server." Extrinsic Support: See above for "first server." ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous name, in a given naming context"	Proposed Construction: Indefinite under 35 U.S.C. §112 Alternatively:Sending, by the second device to the first server, identification of the second device that includes an address of the second device.	

	https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: "character or string of characters, used to identify or name a data item." http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35		
	"receiving a second request from the first device, the second request includes the first content identifier and the third identifier" Cl. 108 ['044] Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49;	"receiving a second request from the first device, the second request includes the first content identifier and the third identifier" Cl. 108 ['044] Proposed Construction: Indefinite under 35 U.S.C. §112 Alternatively:	

	19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server." Extrinsic Support: See above for "first device" and "content identifier." ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous name, in a given naming context" https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B}	Receiving, by the second device from the first device, a request for the internet content that includes both (1) identification of the internet content that is to be fetched and also (2) the address of the second server.	

	(see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: "character or string of characters, used to identify or name a data item." http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35		
	"in response to receiving the first content, sending the first content to the first device using the first identifier" Cl. 108 ['044] Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10;	"in response to receiving the first content, sending the first content to the first device using the first identifier" Cl. 108 ['044] Proposed Construction: Indefinite under 35 U.S.C. §112 Alternatively: After the second device receives the internet content, the second device forwards the internet content to the first device using an address of the first device.	

	124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server." Extrinsic Support: See above for "first device." ITU-T J.780 (06/2012) definition of "content": "A combination of audio, still image, graphic, video, or data. NOTE – A variety of formats is classified as the "data" (e.g., text, encoded values, multimedia description language introduced by ITU-T H.760)." https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={46309866-F797-45BC-81E9-2B6B2DAC1F32} ITU-T T.411 (93), 3.39 definition of "content": The information conveyed by the	Intrinsic Support: Fig. 5b; 81:32-41	

	document, other than the structural information, and that is intended for human perception. https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={0A3C5266-56D4-4ED8-9076-A4345192D7EB} ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous name, in a given naming context" https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: "character or string of characters, used to identify or name a data item."		

	http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35		
U.S. Patent 9,742,866 Claims			
15. A method for fetching a content over the Internet from a **first server** identified in the Internet by a **second identifier** via **a group of multiple devices**, each identified in the Internet by an associated group device identifier, the method comprising the step of **partitioning the content into a plurality of content slices**, **each content slice containing at least part of the content**, **and identified using a content slice identifier**, and **for each of the content slices**, comprising the steps of: (a) **selecting a device from the group**;	Preamble Proposed Construction: Preamble is limiting to the extent it sets forth the components of the residential proxy network. Intrinsic Evidence: 52:33-57:59; 173:43-49 of the '866 Patent; see intrinsic support for each disputed term in the preamble including "first device," "second device," "first server," "second server," "first content identifier;" "identified in the Internet by a second identifier" and "a group of multiple devices"	Preamble Proposed Construction: The preamble is limiting.	

(b) **sending over the Internet a first request to the selected device using the group device identifier of the selected device**, **the first request including the content slice identifier and the second identifier**; (c) in response to receiving the sent first request by the selected device, receiving over the Internet the content slice from the selected device; and wherein the method further comprising the step of constructing the content from the received plurality of content slices, and wherein each of the devices in the group is a client device.	"first server" Proposed Construction: plain and ordinary meaning Intrinsic Support: Figs. 2, 5b, 7, 11, 11a-c, 12, 12a, 13, 20, 26a-d, 34, 49; 2:34-35; 4:33-54; 6:18-8:46; 51:19-56:29; 61:65-62:63; 63:14-27; 65:31-58; 66:8-17;73:63-74:19; 81:21-85:34; 86:15-41; 93:34-94:6; 96:32-62 of the '044 Patent; and 173:43-49 of the '866 Patent Extrinsic Support: PC Mag Encyclopedia definition for computing device: "Any electronic equipment controlled by a CPU, including desktop and laptop computers, smartphones and tablets. It usually refers to a general-purpose device that can accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router."	"first server" Proposed Construction: A server, separate from the first device, the second device, and the group of multiple devices, from which the internet content is fetched. Intrinsic Support: Fig. 5; Fig. 5B; 83:25-34-	

	https://www.pcmag.com/encyclopedia/term/66551/computing-device IEV ref 732-01-12 definition of server: "functional unit that provides services to workstations, to personal computers or to other functional units in a computer network" http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12 Websters Dictionary definition of server: "a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network." https://www.merriam-webster.com/dictionary/server		
	"identified in the internet by a second identifier" Cl. 15 ['866] Proposed Construction: Plain and ordinary meaning	"identified in the internet by a second identifier" Cl. 15 ['866] Proposed Construction: Identified by information that	

	Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server."	includes an address of the first server. Intrinsic Support: Fig. 15; 97:59-98:31	
	"a group of multiple devices" Proposed Construction: Plain and ordinary meaning Intrinsic Evidence: Fig. 5; 52:33-57:59; 58:9-24; 61:50-62:17; 63:40-43; 83:54-84:1; 58:9-24 of the '866 Patent; see also intrinsic support for "first device" and "second device"	"a group of multiple device" Proposed Construction: A plurality of devices that are able to fetch the internet content from the first server and which does not include the first device and the second server. Intrinsic Support: Fig. 5b; Fig. 10; Fig. 10a; Fig. 11; Fig. 11a; Fig. 11b; 83:25-34; 88:37-67; 89:1-38	

	"partitioning the content into a plurality of content slices" Cl. 15, 16-18, 23-24 ['866] Proposed Construction: Not indefinite / plain and ordinary meaning Intrinsic Support: 16:18-35; 53:36-48; 57:39-58:24; 63:37-64:5; 68:67-69:27; 71:7-41; 78:8-37; 93:63-95:16; 103:58-104:62; 141:62-142:34; 168:48-50; 173:8-14 of the '866 Patent; see also intrinsic support for "each content slice containing at least part of the content" and "each content slice … identified using a content slice identifier" Extrinsic Support: Webster dictionary definition of partition: "one of the parts or sections of a whole" https://www.merriam-webster.com/dictionary/partitioning	"partitioning the content into a plurality of content slices" Cl. 15, 16-18, 23-24 ['866] Proposed Construction: Indefinite under 35 U.S.C. §112- "partitioning the content" Alternatively: Dividing, by a group of multiple devices that is fetching internet content, the internet content to be fetched into a plurality (more than just one) of portions, although the portions can have overlapping content. Intrinsic Support: Fig. 10; Fig. 10a; Fig. 11; Fig. 11a; Fig. 11b; 88:37-67; 89:1-38	

	"each content slice containing at least part of the content" Cl. 15, 19-22, 25-28 ['866] Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 21; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 52:19-30; 56:30-44; 63:43-56; and 172:5-12 of the '044 Patent; 46:30-37; 53:36-48; 57:60-58:24; 62:4-18; 84:12-18; 93:63-94:54; 105:4-15; 169:48-50 and 172:5-12 of the '866 Patent; see also intrinsic support for " partitioning the content into a plurality of content slices " and "each content slice … identified using a content slice identifier" Extrinsic Support: ITU-T J.780 (06/2012) definition of content: "A	"each content slice containing at least part of the content" Cl. 15, 19-22, 25-28 ['866] Proposed Construction: Each portion contains at least part of the internet content. Intrinsic Support: Fig. 10; Fig. 10a; Fig. 11; Fig. 11a; Fig. 11b; 88:37-67; 89:1-38	

	combination of audio, still image, graphic, video, or data. NOTE – A variety of formats is classified as the "data" (e.g., text, encoded values, multimedia description language introduced by ITU-T H.760)." https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={46309866-F797-45BC-81E9-2B6B2DAC1F32} ITU-T T.411 (93), 3.39 definition of content: The information conveyed by the document, other than the structural information, and that is intended for human perception. https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={0A3C5266-56D4-4ED8-9076-A4345192D7EB} Dictionary.com definition of slice: "a part, portion, or share"		

	https://www.dictionary.com/browse/slice?s=t		
	"each content slice…identified using a content slice identifier" Cl. 15 ['866] Proposed Construction: Plain and ordinary meaning Intrinsic Support: 94:23-30; 105:16-30; 142:18-27 of the '866 Patent; see also intrinsic support for "each content slice containing at least part of the content" and "partitioning the content into a plurality of content slices" Extrinsic Support: ITU-T J.780 (06/2012) definition of content: "A combination of audio, still image, graphic, video, or data. NOTE – A variety of formats is classified as the "data" (e.g.,	"each content slice…identified using a content slice identifier" Cl. 15 ['866] Proposed Construction: Each portion is identified uniquely relative to the other portions. Intrinsic Support: '044-102:45:59, 138:49-139:3, 164:34-36	

	text, encoded values, multimedia description language introduced by ITU-T H.760).” https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={46309866-F797-45BC-81E9-2B6B2DAC1F32} ITU-T T.411 (93), 3.39 definition of content: The information conveyed by the document, other than the structural information, and that is intended for human perception. https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={0A3C5266-56D4-4ED8-9076-A4345192D7EB} Dictionary.com definition of slice: “a part, portion, or share” https://www.dictionary.com/browse/slice?s=t		

	ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: "An unambiguous name, in a given naming context" https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 | ISO/IEC 10746-2).		
	"a plurality of content slices…and for each of the content slices" Cl. 15 ['866] Proposed Construction: Plain and ordinary meaning Intrinsic Evidence: Fig. 5; 52:33-57:59; 58:9-24; 61:50-62:17; 63:40-43; 83:54-84:1; 58:9-24; 173:43-49 of the '866 Patent; see intrinsic support for each disputed term in the preamble including "first	"a plurality of content slices…and for each of the content slices" Cl. 15 ['866] Proposed Construction: Performing the following steps for each of the plurality of content slices (portions), rather than just a single time for the entirety of the fetched internet content.	

	device," "second device," "first server," "second server," "first content identifier;" "identified in the Internet by a second identifier" and "a group of multiple devices"		
	"selecting a device from the group" Cl. 15 ['866] Proposed Construction: Plain and ordinary meaning Intrinsic Evidence: Fig. 5; 52:33-57:59; 58:9-24; 61:50-62:17; 63:40-43; 83:54-84:1; 58:9-24; 173:43-49 of the '866 Patent; see intrinsic support for each disputed term in the preamble including "first device," "second device," "first server," "second server," "first content identifier;" "identified in the Internet by a second identifier" and "a group of multiple devices"	"selecting a device from the group" Cl. 15 ['866] Proposed Construction: Selecting, by some node other than the first server and one of the group of multiple devices, a device within the group of multiple devices. Intrinsic Support: Fig. 10; Fig. 10a; Fig. 11; Fig. 11a; Fig. 11b; 88:37-67; 89:1-38	

	"sending over the Internet a first request to the selected device using the group device identifier of the selected device" Cl. 15 ['866] Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent and 61:50-62:3 of the '866 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server."	"sending over the Internet a first request to the selected device using the group device identifier of the selected device" Cl. 15 ['866] Proposed Construction: Sending, by some node other than the first server and one of the group of multiple devices, to the selected device, a request to fetch the internet content device within the group of multiple devices and that uses the selected device's unique identification.	

	"the first request including the content slice identifier and the second identifier" Cl. 15 ['866] Proposed Construction: Plain and ordinary meaning Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for "first content identifier," "first device," "second device," "first server," and "second server."	"the first request including the content slice identifier and the second identifier" Cl. 15 ['866] Proposed Construction: The request for fetching the internet content, that is sent to the selected device, includes (1) the content slice identifier and (2) information that includes the address of the first server.	
16. The method according to claim **15,** wherein the **content** is composed of bits, nibbles, bytes, characters,	"partitioning the content into a plurality of content slices" See above	"partitioning the content into a plurality of content slices" See above	

words, or strings, and the **partitioning** is based on bit, nibble, byte, multi-byte, number, character, word, or string level.			
17. The method according to claim **15,** wherein the **content** is composed of files, or programs, and the **partitioning** is based on file or program level.	"partitioning the content into a plurality of content slices" See above	"partitioning the content into a plurality of content slices" See above	
18. The method according to claim **17,** wherein the content is a website content comprising multiple webpages, and **the partitioning is based webpages level**.	"partitioning the content into a plurality of content slices" See above	"partitioning the content into a plurality of content slices" See above	
	"the partitioning is based webpages level" Cl. 18 ['866] Proposed Construction: Plain and ordinary meaning Intrinsic Support: 94:23-30;104:54-62; 168:48-50; 173:15-17; 174:25-24; see also intrinsic support for ""partitioning content into a plurality of content slices," "each content slice containing at least part of the content"	"the partitioning is based webpages level" Cl. 18 ['866] Proposed Construction: Each of the plurality (more than just one) of portions of the fetched internet content corresponds to one or more webpages.	

	and "each content slice … identified using a content slice identifier."		
19. The method according to claim **15,** wherein all of the **parts of the content are included in all of the content slices.**	"each content slice containing at least part of the content" See above	"each content slice containing at least part of the content" See above	
	"all of the parts of the content are included in all of the content slices" Cl. 19 ['866] Proposed Construction: Not indefinite / Plain and ordinary meaning Intrinsic Support: 168:48-50; 174:25-24; see also intrinsic support for ""partitioning the content into a plurality of content slices," "each content slice containing at least part of the content" and "each content slice … identified using a content slice identifier."	"all of the parts of the content are included in all of the content slices" Cl. 19 ['866] Proposed Construction: Indefinite under 35 U.S.C. §112	

20. The method according to claim **15,** wherein all of the **content slices** have the same size.	"each content slice containing at least part of the content" See above	"each content slice containing at least part of the content" See above	
21. The method according to claim **15,** wherein at least two **content slices** are the same.	"each content slice containing at least part of the content" See above	"each content slice containing at least part of the content" See above	
22. The method according to claim **15,** wherein **part of the content is included in two or more content slices**.	"each content slice containing at least part of the content" See above	"each content slice containing at least part of the content" See above	
	"part of the content is included in two or more content slices" Cl. 22 ['866] Proposed Construction: "two or more slices including at least an overlapping part of the content" Intrinsic Support: Fig. 21; 94:23-57; 104:27-105:15; 168:48-50; 173:8-14 of the '866 Patent; see also intrinsic support for ""partitioning the content into a plurality of content slices," "each content slice containing at least part of the content" and "each content	"part of the content is included in two or more content slices" Cl. 22 ['866] Proposed Construction: At least two of the plurality (more than just one) of portions of the fetched internet content have overlapping content.	

	slice … identified using a content slice identifier."		
23. The method according to claim **15,** wherein the **partitioning** is sequential in the **content**.	"partitioning the content into a plurality of content slices" See above	"partitioning the content into a plurality of content slices" See above	
24. The method according to claim **15,** wherein the **partitioning** is non-sequential in the **content**.	"partitioning the content into a plurality of content slices" See above	"partitioning the content into a plurality of content slices" See above	
25. The method according to claim **15,** wherein the number of **content slices** is equal to the number of devices in the group.	"each content slice containing at least part of the content" See above	"each content slice containing at least part of the content" See above	
26. The method according to claim **25,** wherein a distinct device is selected for each **content slice**.	"each content slice containing at least part of the content" See above	"each content slice containing at least part of the content" See above	
27. The method according to claim **15,** wherein the number of **content slices** is higher than the number of devices in the group.	"each content slice containing at least part of the content" See above	"each content slice containing at least part of the content" See above	
28. The method according to claim **15,** wherein the number of **content slices** is lower than the number of devices in the group.	"each content slice containing at least part of the content" See above	"each content slice containing at least part of the content" See above	